REMARKS

INTRODUCTION

In accordance with the foregoing, no claims have been amended. Claims 10-12, 14-16 and 18 are pending and under consideration.

CLAIM REJECTIONS

Claims 10-12, 14-16 and 18 were rejected under 35 USC 102(b) as being anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Kuroda et al. (US 6,144,625) (hereinafter "Kuroda").

Claims 10-12, 14-16 and 18

Claim 10 recites: "...an LPP signal detector that detects a certain voltage level in the push-pull signal immediately after the servo controller enables tracking..."

It is respectfully submitted that Kuroda does not disclose technical features of detecting a certain voltage level in the push-pull signal **immediately after** the servo controller **enables tracking** as recited in claim 10, since Kuroda relates to a system for discriminating an optical disc **without performing** a tracking control as is clearly discussed at 9:20-9:24 of Kuroda.

In the Office Action, in the "Response to Arguments" section, the Examiner notes that Figure 6 and 11:29-11:34 of Kuroda clearly show this feature of claim 10.

As in previous Office Actions, the Examiner relies on the disclosure in Kuroda where at step S5, the CPU 9 determines whether a digital value indicating an amplitude level of a push-pull signal fed from the A/D converter 11 is higher than a predetermined value (reference value A). If the digital value is higher than the reference value A, the program transfers to step S11. At step S11, a switch closing signal is supplied to the switch 4 to render the tracking servo loop to be in a closed condition. In this way, the tracking servo loop is formed so as to perform a tracking control in accordance with the push-pull error signal supplied from the regenerative amplifier 7. Kuroda, 11:29-11:34 and Figure 6.

However, it is respectfully submitted that Figure 6 of Kuroda shows that between step S11, where the tracking servo loop is closed, and step S25, where the prepit is detected, is step S24 where a timer is started. Further, Kuroda also discusses that at step S26, it is determined whether a predetermined time from the start of the timer has passed or not. If it is determined at step S16 that the above predetermined time from the start of the timer has passed, the program

transfers to step S17, to determine that the optical disc is neither a DVD-ROM nor a DVD-R or DVD-RAM, so as to stop all the possible operations after that. Kuroda, 11:37-11:50 and Figure 6.

Accordingly, it is respectfully submitted that in view of the foregoing, Kuroda does not discuss the technical feature of claim 10 of detecting a certain voltage level in the push-pull signal **immediately after** the servo controller enables tracking. Specifically, Kuroda discusses **starting a timer** immediately after the tracking servo loop is placed in a closed condition.

This technical feature of claim 10 provides that operational conditions of a disc drive can be set in the early stage of the disc driving period, which reduces lead-in time of a disc.

Claims 11, 12, 14-16 and 18 depend on claim 10 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
STAAS & HALSEY LLP

Date: July 10, 2008

By: Gregory W. Harper
Gregory W. Harper
Registration No. 55,248

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501